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EXAMINER

SALTARELLI, DOMINIC D

ART UNIT	PAPER NUMBER
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2611

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DATE MAILED: 10/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/881,516

Applicant(s)

RODRIGUEZ ET AL.

Examiner

Dominic D Saltarelli

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Objections***

1. Claims 23, 24, 25 and 27 are objected to because of the following informalities: Claims 23 and 24 should be separated into separate paragraphs. Claim 25 depends on claim 24, claim 27 depends on claim 26, and both should read as such. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5, 15, 16, 19, 20, 23, 28, 29, 30, 34, 36, 37, and 44 are rejected under 35 U.S.C. 102(b) as being anticipated by Bertram et al. (5,737,028).

Regarding claim 1, Bertram et al. disclose a method for providing interactive media services in a subscriber network television system (col. 2, lines 40-45), the method comprising the steps of receiving a first user input from a remote control device (20) indicating a user's desire to select an item of displayed media content information (Figure 14) and receiving a second user input from the remote control device indicating the user's desire to drag the item of the media content information to a destination desired by a user (col. 39, lines 26-34), all a part of the commonly known drag and drop function.

Regarding claim 2, Bertram et al. disclose the method of claim 1, and additionally disclose a third user input corresponding to a change in direction of the displayed media content information item (col. 6, lines 5-10), an inherent feature of the afore cited "drag and drop" functionality.

Regarding claim 3, Bertram et al. disclose the method of claim 1, and additionally disclose a fourth and fifth user input corresponding to the cessation of the first and second user inputs, respectively, to release the displayed media content information item at the destination desired by the user, since Bertram et al. disclose "drag and drop" functionality to be implemented by a remote control (col. 39, lines 26-30), user inputs responding to a user's desire to no longer drag an item and to de-select an item are inherent features, without which the functionality of building a user defined list of multiple items (col. 40, lines 15-19) would not be possible if only one item could be selected and dragged.

Regarding claim 4, Bertram et al. disclose the method of claim 1, and additionally disclose the step of displaying the movement of the displayed media content information item as the second user input is received (col. 39, lines 32-33).

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Regarding claim 5, Bertram et al. disclose the method of claim 1, and additionally disclose the step of receiving a second user input further includes the step of picking up the selected media content information item (col. 39, lines 31-32).

Regarding claim 15, Bertram et al. disclose the method of claim 1, and additionally disclose the step of dropping off the dragged media content information item in at least one graphical container displayed on at least one television screen, which would be the result of the combination of the afore cited drag and drop operation with the "List" function (col. 40, lines 15-24), with an example of the graphical container in Figure 14.

Regarding claim 16, Bertram et al. disclose the method of claim 15, and additionally disclose the step of browsing a list of media content information items located in the graphical container (col. 40, lines 23-26).

Regarding claim 19, Bertram et al. disclose the method of claim 1, and additionally disclose the step of displaying the media content information item, as shown in Figures 14, 17, and 18.

Regarding claim 20, Bertram et al. disclose the method of claim 19, and additionally disclose that the displaying step is configured by a local client device (30) (col. 7, lines 13-17).

Regarding claim 23, Bertram et al. disclose a system for providing interactive media services in a subscriber network television system, the system comprising a memory for storing logic (45) and a processor (39) for executing the logic stored in memory, such that the logic is configured to generate a user interface on a screen (Figure 18), wherein the screen is responsive to user input (col. 39, lines 19-26), such that the logic is configured to cooperate with the remote control device (20) to cause an item of media content information to be selected and translated across the screen (col. 39, lines 26-34).

Regarding claim 28, Bertram et al. disclose the system of claim 23, and additionally disclose the memory to further comprise media content title and its corresponding media content information (Figure 15).

Regarding claim 29, Bertram et al. disclose the system of claim 23, and additionally disclose the system to comprise at least one graphical container on the display screen, wherein the graphical containers represent destinations for at least one of the moved media content information items (Figure 14).

Regarding claim 30, Bertram et al. disclose the system claim 29, and additionally disclose the graphical containers to include browsable list entries for the media content information items (col. 40, lines 16-24).

Regarding claim 34, Bertram et al. disclose the system of claim 23, and additionally disclose the television screen to comprise a displayed origin for at last one media content information item (Figure 14, "Information Highway") to enable the user to select the desired media content information item (Figure 15, user selects first media content information item from origin entitled "Weather").

Regarding claim 36, Bertram et al. disclose the system of claim 34, and additionally disclose the displayed origin to include at least one of the following, a table with entries (Figure 14) and a graphical icon (Figure 18).

Regarding claim 37, Bertram et al. disclose the system of claim 23, and additionally disclose the remote control device to comprise at least an activation button and at least one arrow key (col. 35, lines 15-37).

Regarding claim 44, Bertram et al. disclose the system of claim 23, and additionally disclose the logic is implemented in the local client device (30) (col. 7, lines 13-17).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram et al. in view of Johnson et al. (5,808,611).

Regarding claim 6, Bertram et al. disclose the method of claim 1, but fail to disclose the step of storing the coordinates of the original residence of the media content information item and the television screen coordinates of the media content information item as the item is dragged across the television screen in a memory in the client device.

While this may also be considered an inherent feature of drag and drop functionality, Johnson et al. specifically disclose the storage of the coordinates of a graphical object in memory (Abstract, lines 9-12, and col. 5, lines 40-43). Coordinates or the original residence of the object are stored in a memory (24) in the client device, and the screen coordinates of the object are also stored in the same memory as the object is dragged across the display (col. 2, lines 31-34).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method disclosed by Bertram et al. to include the step of storing the coordinates of the original residence of the media content information item



and the television screen coordinates of the media content information item as the item is dragged across the television screen in a memory in the client device as taught by Johnson et al. The reason for doing so would be for the typical advantage of rendering the media content information item in the correct position on the display, both when the item is at its original residence, and when it is being dragged across the television screen.

Regarding claim 7, the modified method of Bertram et al. and Johnson et al. accommodates the inclusion of the step of defining the coordinates as absolute coordinates. Each object can be independently defined using the "ObjectInfo" structure (col. 4, lines 65-67), which includes a unique set of xy-coordinates specifying object location (col. 5, lines 40-43).

Regarding claim 8, the modified method of Bertram et al. and Johnson et al. accommodates the inclusion of the step of defining the screen coordinates as a change in the x-axis and y-axis of the television screen relative to the coordinates of the original residence of the media content information item. The "ObjectInfo" structure is admitted to be flexible (col. 4, lines 61-65), and it would have been obvious at the time to a person of ordinary skill in the art to store the screen coordinates as relative to the original residence coordinates in the manner taught by Johnson et al. for calculating position (col. 6, lines 7-14), namely storing the coordinates as displacement values, especially in light of the

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fact that Johnson teaches the creation of new objects whose placement on a display is dependent upon, and relative to, the original location of the parent object (Abstract, lines 11-12).

6. Claims 9, 10, 11, 17, 18, 32, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram et al. in view of Matthews III, et al. (6,025,837).

Regarding claim 9, Bertram et al. disclose the method of claim 1, but fail to disclose the step of retrieving a media content information item and its corresponding media content information from the original residence of the media content title.

Matthews III, et al. disclose retrieving a media content information item (40 or 46) and its corresponding media content information (46) from the original residence of the media content title, as shown in Figure 1 (col. 6, lines 59-63). The reason for doing so is to make the media content information item and corresponding media content information available.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method disclosed by Bertrand et al. to include the step of retrieving a media content information item and its corresponding media content information from the original residence of the media content title as taught by Matthews III, et al., thus making the media content information item and corresponding media content information available.

Regarding claim 11, the modified method of Bertram et al. and Matthews III, et al. provide for the step of associating the original residence location of the media content information with a pointer (Matthews III, et al. col. 7, lines 22-24) and storing the pointer in a memory in the client device.

Regarding claim 10, the modified method of Bertram et al. and Matthews III, et al. additionally provides for the step of storage of retrieved media content information from the original residence and storing the information in memory in the client device (Matthews III, et al. col. 7, lines 31-40) for the advantage of localizing user functionality, relieving computational requirements of the head end and narrowing the required bandwidth for communication between head end and client. It would have been obvious at the time to a person of ordinary skill in the art to further modify the method disclosed by Bertram et al. and Matthews III, et al. to include the step of storing retrieved media content information in memory in the client device, as further taught by Matthews III, et al., for the advantage of localizing user functionality.

Regarding claim 17, Bertram et al. disclose the method of claim 15, but fail to disclose the graphical container to be an activation container.

Matthews III, et al. disclose an instruction created by a drag and drop procedure (col. 12, lines 1-7) which can activate the media content item (col. 12,

lines 10-29), making activation of a media content item in whatever form desired possible through a simple drag and drop operation.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method disclosed by Bertram et al. to associate the activation operation with the drag and drop operation as taught by Matthews III, et al. by associating the activation instruction with the graphical container, making activation of a media content item in whatever form desired possible through a simple drag and drop operation.

Regarding claim 18, the modified method of Bertram et al. and Matthews III, et al. includes the activating step to include at least one of the following: activating a reminder timer (Matthews III, et al. col. 12, lines 33-36) and activating a media recording (Matthews III, et al. col. 12, lines 26-29).

Regarding claim 32, Bertram et al. disclose system of claim 29, but fail to disclose at least one of the graphical containers to be an activation container for enabling operations on the media content information items.

Matthews III, et al. disclose an instruction created by a drag and drop procedure (col. 12, lines 1-7) which can activate the media content item (col. 12, lines 10-29), making activation of a media content item in whatever form desired possible through a simple drag and drop operation.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method disclosed by Bertram et al. to associate the activation operation with the drag and drop operation as taught by Matthews III, et al. by associating an activation instruction with at least one graphical container, making activation of a media content item in whatever form desired possible through a simple drag and drop operation.

Regarding claim 33, the modified system of Bertram et al. and Matthews III, et al. includes the activation containers to include a reminder timer (Matthews III, et al. col. 12, lines 33-36) and activating a media recording (Matthews III, et al. col. 12, lines 26-29).

7. Claims 12 and 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram et al. in view of Matthews III, et al. and Johnson et al.

Regarding claim 12, Bertram et al. disclose the method of claim 1, but fail to disclose the steps of storing at least one media graphical icon, representing the selected media content information item with a corresponding displayed media graphic icon, and storing the original residence coordinates and movement coordinates of the media graphical icon in a memory in the client device.

Matthews III, et al. disclose representing a selected media content information item with a corresponding displayed media graphic icon (Figure 7,

180) (col. 12, lines 8-17), which is stored in memory. The reason for doing so is to provide a graphical representation available on a display that corresponds to the selected media content information item. Johnson et al. disclose the storage of the coordinates of a graphical object in memory (Abstract, lines 9-12, and col. 5, lines 40-43). Coordinates or the original residence of the object are stored in a memory (24) in the client device, and the screen coordinates of the object are also stored in the same memory as the object is dragged across the display (col. 2, lines 31-34).

It would have been obvious at the time to a person of ordinary skill to modify the method disclosed by Bertram et al. to include the step of storing the coordinates of the original residence of the media content information item and the television screen coordinates of the media content information item as the item is dragged across the television screen in a memory in the client device as taught by Johnson et al. The reason for doing so would be for the typical advantage of rendering the media content information item in the correct position on the display, both when the item is at its original residence, and when it is being dragged across the television screen.

It would have been obvious to further modify the method the modified method of Bertram et al. and Johnson et al. to also represent a selected media content information item with a media graphic icon as taught by Matthews III, et al. for the advantage of providing a graphical representation available on a display that corresponds to the selected media content information item.

Regarding claim 13, the modified method of Bertram et al., Johnson et al. and Matthews III, et al. in claim 12 includes the step of emulating the movement of the media graphical icon corresponding to the translated media content information item by updating the location of the media graphical icon on the television screen repeatedly. Bertram et al. discloses a video processor (39) which comprises a "blitter" (70) which performs graphics creation and animation (col. 18, lines 13-15), and a "video/memory controller" (78) which controls the refresh rate of the logic and video mode (col 16, lines 65- 65, and col 17, lines 1-2). The position of the media graphical icon is stored in memory and displayed on the television screen, and the refresh rate of both is set by the video/memory controller, so the position of the media graphical icon is constantly being updated according to the refresh rate set by the controller, and whenever a change takes place, the blitter performs the animation, which is displayed on the television screen according to the afore mentioned refresh rate.

8. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram et al. in view of Nykanen et al. (6,362,841).

Regarding claim 24, Bertram et al. disclose the system of claim 23, but fail to disclose a media graphical icon that visually represents the media content information item on the display screen.

Nykanen et al. teach "a method for forming a device specific-icon on a data processor display in which the optical properties of the pixels are changed in order to represent desired information" (col. 2, lines 60-64).

It would have been obvious at the time to a person of ordinary skill in the art to form an icon which would visually represent the media content information item on the display screen as taught by Nykanen et al. The reason for doing so would be to provide an easily recognizable representation of a media content information item on the display screen.

Regarding claim 25, the modified system of Bertram et al. and Nykanen et al. includes changing features depending on the media content information item type and the media content information item location on the display screen, both represent a state of desired information, and Nykanen et al. teach "the optical properties of the pixels are changed in order to represent desired information" (col. 2, lines 60-64).

9. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram et al. in view of Johnson et al. and Matthews III, et al. as applied to claim 12 above, in further view of Nykanen et al.

Regarding claim 14, the modified method of Bertram et al., Johnson et al. and Matthews III, et al. discloses the method of claim 12, but fails to disclose the step of changing the features of the media graphical icon depending on the



media content information item type and the media content information item location on the television screen.

Nykanen et al. teach "a method for forming a device specific-icon on a data processor display in which the optical properties of the pixels are changed in order to represent desired information" (col. 2, lines 60-64).

It would have been obvious at the time to a person of ordinary skill in the art to modify the method of Bertram et al., Johnson et al. and Matthews III, et al. to include the step of changing the features of graphical icon depending on the media content information item type and the media content information item location on the television screen as taught by Nykanen et al. The reason for doing so would be to make the graphical icon representative of any additionally desired information, such as media content information type and any circumstance associated with the media content information item's location on the television screen.

10. Claims 26 and 27 rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram et al. as applied to claim 23 above, and further in view of Johnson et al., Matthews III, et al.

Regarding claim 26, Bertram et al. disclose the system of claim 23, but fail to disclose the memory to further comprise the coordinates of the original residence of a picked-up media content information item and a corresponding media graphical icon, and the display screen coordinates of the media content

information item and the media graphical icon as the media content information item and the media graphical icon are moved across the display screen.

Johnson et al. disclose the storage of the coordinates of a graphical object in memory (Abstract, lines 9-12, and col. 5, lines 40-43). Coordinates or the original residence of the object are stored in a memory (24) in the client device, and the screen coordinates of the object are also stored in the same memory as the object is dragged across the display (col. 2, lines 31-34).

Matthews III, et al. disclose representing a selected media content information item with a corresponding displayed media graphic icon (Figure 7, 180) (col. 12, lines 8-17), which is stored in memory. The reason for doing so is to provide a graphical representation available on a display that corresponds to the selected media content information item.

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Bertram et al. to include the step of storing the coordinates of the original residence of the media content information item and the television screen coordinates of the media content information item as the item is dragged across the television screen in a memory in the client device as taught by Johnson et al. The reason for doing so would be for the typical advantage of rendering the media content information item in the correct position on the display, both when the item is at its original residence, and when it is being dragged across the television screen.

It would have been obvious at the time to a person of ordinary skill in the art to further modify the system of Bertram et al. and Johnson et al. to associate a media content information item with a graphical icon as taught by Matthews III, et al. The reason for doing so would be to provide an easily recognizable graphic representation of a media content information item.

Regarding claim 27, the modified system of claim 26 stores the screen coordinates as at least one of the following: absolute screen coordinates as taught by Johnson et al., where each object can be independently defined using the "ObjectInfo" structure (col. 4, lines 65-67), which includes a unique set of xy-coordinates specifying object location (col. 5, lines 40-43), or coordinates relative to the original residence of the media graphical icon and the media content information item as taught by Johnson et al. The "ObjectInfo" structure is admitted to be flexible (col. 4, lines 61-65), and it would have been obvious at the time to a person of ordinary skill in the art to store the screen coordinates as relative to the original residence coordinates in the manner taught by Johnson et al. for calculating position (col. 6, lines 7-14), namely storing the coordinates as displacement values, especially in light of the fact that Johnson teaches the creation of new objects whose placement on a display is dependent upon, and relative to, the original location of the parent object (Abstract, lines 11-12)..

11. Claims 21 and 43 rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram et al. in view of Anuff et al. (6,327,628).

Regarding claim 21, Bertram et al. discloses the method of claim 19, but fail to disclose the displaying step to be configured by a remote server.

Anuff et al. disclose "views" which are isolated segments of presentation logic, stored on a server (col. 6, lines 48-50). These "views" are a network resource stored on a server and remotely accessible by users through a portal (Abstract, lines 1-4). Such a configuration minimizes the required computational and memory resources of a client device.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method disclosed by Bertram et al. to configure the displaying step by a remote server as taught by Anuff et al. The reason for doing so would be to minimize the hardware requirements of the local client device.

Regarding claim 43, Bertram et al. disclose the system of claim 23, but fail to disclose the display logic to be implemented on a remote server. Anuff et al. teach the implementation of display logic to occur on a remote server, as shown regarding claim 21.

12. Claims 22, 31, and 38-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram et al. in view of Magid et al. (5,764,873).

Regarding claim 22, Bertram et al. disclose the method of claim 1, but fail to disclose the step of providing feedback to the user in response to at least one of the receiving steps.

Magid et al. disclose a providing feedback to a user upon selection of a media content information item (col. 5, lines 29-32), in order to confirm to a user the reception of the corresponding user input.

It would have been obvious at the time to a person of ordinary skill in the art to modify the method disclosed by Bertram et al. to include the step of providing feedback to the user upon selection of a media content information item as taught by Magid et al. for the purpose of confirming or reminding a user of the reception of the corresponding user input.

Regarding claim 31, Bertram et al. disclose the system of claim 29, but fail to disclose the graphical containers to have alterable features that provide feedback when the media content information item on the television screen is spatially close to the graphical container.

Magid et al. disclose providing feedback to a user when an iconic representation of an object is being dragged over a graphical container (col. 5, lines 54-58) for the purpose of indicating to the user the status or availability of the graphical container the icon is being dragged over.

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclose by Bertram et al. to provide the graphical

containers with alterable features which would provide feedback to the user when the media content information item on the television screen is spatially close to the graphical container as taught by Magid et al. The reason for doing so would be to indicate to the user the status or availability of the graphical container the icon is being dragged proximate to.

Regarding claim 38, Bertram et al. disclose the system of claim 37, but fail to disclose commencement of the movement mode to correspond to the concurrent pressing of the activation button and at least one of the arrow keys to cause corresponding media content information item movement, and further release of the activation button to cause the corresponding media content information item movement completion.

Magid et al. teach the pressing of an activation button to commence a drag and drop operation (Figure 4A, 400) (col. 3, lines 46-50) and further release of the activation button causes item movement completion (Figure 4A, 415).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Bertram et al. to configure the logic such that when an activation button is pressed concurrently with an arrow key, the media content information item is moved, and further configure the logic such that when the activation button is released, movement is completed, as taught by Magid et al. The reason for doing so would be to simulate the traditional drag

and drop functionality commonly associated with mouse pointers on a PC that a majority of users are familiar with.

Regarding claim 39, Bertram et al. disclose the system of claim 37, and discloses the logic to cause item movement in response to the pressing of an arrow key (col. 35, lines 24-27), but fail to disclose configuring the logic to commence movement mode through the quickly repeated pressing and release of the activation button, and a subsequent pressing of the activation button to cause the media content information item movement completion.

Magid et al. disclose the commencement of movement mode through the repeated pressing and releasing of an activation button through a "set of keystrokes" received from a mouse controller (col. 8, lines 24-26), commonly known as the "double-click", and a drop command to complete movement mode (col. 9, lines 5-6).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Bertram et al. to configure the logic such that when the activation button is pressed and released quickly, movement mode is initiated, as taught by Magid et al., to mimic the commonly known "double-click" feature associated with PCs. Additionally, it would have been obvious to a person of ordinary skill in the art to configure the logic to associate a subsequent press of the activation button to cause movement completion, for the sake of simplicity form the user end.

Regarding claim 40, Bertram et al. disclose the system of claim 37 and discloses the logic to cause item movement in response to the pressing of an arrow key (col. 35, lines 24-27), but fail to disclose configuring the logic to commence movement mode through an extended duration single pressing of the activation button and subsequent release of the activation button and a subsequent pressing of the activation button causes movement completion.

Magid et al. teach detecting the initiation of a "pick up" command from a device to initiate movement mode (col. 8, lines 24-26) and a drop command to complete movement mode (col. 9, lines 5-6).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Bertram et al. to configure the logic such that when the activation button is pressed for an extended duration, movement mode is initiated, a simple variation of the material taught by Magid et al. Additionally, it would have been obvious to a person of ordinary skill in the art to configure the logic to associate a subsequent press of the activation button to cause movement completion, for the sake of simplicity form the user end.

Regarding claim 41, Bertram et al. disclose the system of claim 37 and further disclose the logic to cause item movement in response to the pressing of an arrow key (col. 35, lines 24-27), but fail to disclose configuring the logic to commence movement mode through the pressing of a movement mode button,



and further configure the logic to cause item movement completion when the activation button is pressed.

Magid et al. teach detecting the initiation of a "pick up" command from a device to initiate movement mode (col. 8, lines 24-26) and a drop command to complete movement mode (col. 9, lines 5-6).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Bertram et al. to configure the logic to commence movement mode through the pressing of a movement mode button, and further configure the logic to cause item movement completion when the activation button is pressed as taught by Magid et al., where the pick up command and the drop command are associated with different keys on the remote control device to simplify the operation from a user standpoint.

Regarding claim 42, Bertram et al. disclose the system of claim 37, but fail to disclose configuring the logic to commence movement mode through the pressing of a second activation button, and further configure the logic to cause item movement completion when a third activation button is pressed.

Magid et al. teach detecting the initiation of a "pick up" command from a device to initiate movement mode (col. 8, lines 24-26) and a drop command to complete movement mode (col. 9, lines 5-6).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Bertram et al. to configure the logic to

commence movement mode through the pressing of a second activation button, and further configure the logic to cause item movement completion when a third activation button is pressed as taught by Magid et al., where the pick up command and the drop command are associated with different keys on the remote control device to simplify the operation from a user standpoint.

13. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram et al. in view of Young et al. (2003/0159147 A1).

Regarding claim 35, Bertram et al. disclose the system of claim 34, but fail to disclose the displayed origin to have alterable features that provide feedback when a media content information item on the television screen is selected.

Young et al disclose providing feedback to a user upon selection of a media content information item (paragraph 52, lines 1-5) to indicate to the user that an item has been selected or that action on that item has been initiated. Each cell which provides feedback is part of an origin of media content information items as shown in Figure 1.

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Bertram such that the displayed origin has alterable features that provide feedback when a media content information item on the television screen is selected as taught by Young et al. in order to indicate to the user that an item has been selected.

***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ikemoto (5,515,495), which deals with icon generation and drag and drop functionality.

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DS

  
CHRIS GRANT  
PRIMARY EXAMINER